

**REMARKS**

**STATUS OF THE CLAIMS**

Claims 1-23 are pending as originally filed.

**INFORMATION DISCLOSURE STATEMENT**

Applicants acknowledge with appreciation receipt of the signed and initialed 1449 forms indicating the references submitted with the IDS have been considered.

**DRAWINGS**

The drawings were objected for allegedly failing to show all the elements of claims 10-12 (deployment tip, pusher). Applicants have addressed this objection by including new Figure 6, attached hereto. Accordingly, Applicants submit that the objections to the drawings have been addressed and should be withdrawn by the Office.

**35 U.S.C. § 102**

Claims 1-8 and 10-23 were rejected under 35 U.S.C. § 102(e) as allegedly anticipated by U.S. Patent No. 6,638,291 (hereinafter "Ferrera"). With particular references to Figs. 2-3B, it was alleged that Ferrera discloses a device having non-overlapping loops in its relaxed configuration. (Office Action, page 3).

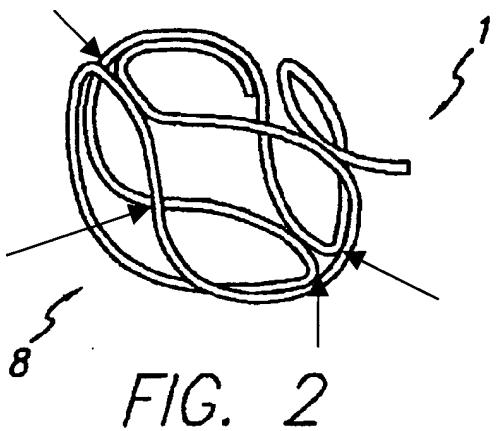
Applicants respectfully traverse the rejection.

In order to be an anticipatory reference, the single source must disclose, either expressly or inherently, all the elements as claimed. In the pending case, the claims are drawn to devices having non-overlapping loops in their relaxed configuration. Therefore, Ferrera must disclose such a non-overlapping structure to anticipate the pending claims.

In fact, there is nothing in Ferrera that expressly teaches the loops are non-overlapping. Ferrera is entirely silent as to the nature of the loops and, instead, refers only to the overall three-dimensional shape. Thus, Ferrera does not expressly describe or demonstrate devices as claimed.

Nor does Ferrera inherently disclose non-overlapping looped structures as claimed. The absence of any description regarding the configuration of the loops is highly probative of the fact that Ferrera's device is in fact overlapping. Moreover, a close examination of the Figures cited

by the Examiner as allegedly "inherently" disclosing non-overlapping loops reveals that there are several regions where the loops of Ferrera's devices appear to be overlapping. As indicated below by the arrows, there are at least four places in which the various loops seem to overlap in Ferrera's devices:



Simply put, Ferrera does not disclose, expressly or inherently, devices as claimed in which the relaxed configuration is made up of non-overlapping loops. Therefore, Ferrera cannot anticipate the pending claims and withdrawal of this rejection is respectfully requested.

### 35 U.S.C. § 103

Claim 9 was rejected as allegedly obvious over Ferrera. (Office Action, page 3). It was maintained that it would have been obvious to employ additional filamentary material into Ferrera's device in order to optimize occlusion. *Id.*

For the reasons noted above, Ferrera does not expressly or inherently disclose devices comprising non-overlapping loops. Accordingly, this reference cannot render obvious claim 9 and withdrawal of this rejection is in order.

**CONCLUSION**

Applicants submit that the claims are in condition for allowance and request early notification to that effect. If the Examiner has any further issues or wishes to discuss any of the foregoing, she is invited to contact Applicants' undersigned attorney at the telephone number listed below.

Respectfully submitted,

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